

II. REMARKS

A. Introduction

Applicants submit this Response in a bona fide attempt to (i) advance the prosecution of this case, (ii) answer each and every ground of objection and rejection as set forth by the Examiner, (iii) place the claims in a condition for allowance, and (iv) place the case in better condition for consideration on appeal. Applicants respectfully request reexamination and reconsideration of the above referenced patent application in view of this Response.

As indicated above, Claims 9, 11 and 15 have been amended, Claim 14 canceled, Claims 16-18 withdrawn as directed by the Examiner and new Claims 19-26 added.

Applicants respectfully submit that the noted amendments merely make explicit that which was (and is) disclosed or implicit in the original disclosure. The amendments thus add nothing that would not be reasonably apparent to a person of ordinary skill in the art to which the invention pertains.

B. Interview Summary

Applicants thank the Examiner for the telephone interviews conducted with their representative, Nathan Koenig. During the interview, USPN 5,244,169 to Brown et al. and potential amendments to the claims were discussed. Specifically, Applicants believe that it was agreed that Brown et al. disclose an air reservoir for maintaining pressure in the leading and trailing edges during flight. As such, it is Applicants position that any regulator disclosed by Brown et al. would necessarily require air flow from the reservoir to the leading edge, when the air pressure in the reservoir is greater than the leading edge. In contrast, Applicants argued that the present invention has a valve that is designed to prevent flow from the rib strut to the leading edge. Applicants also believe agreement was reached with regard to the amendments to the claims that would help clarify this distinction. Accordingly, Applicants hereby submit this amendment.

C. Elections/Restrictions

As indicated above, the Examiner has required that Claims 16-18 be withdrawn as being directed to a distinct invention. Applicants have withdrawn those claims and added new Claims 24-26 that are related to the apparatus of Claim 9, so that the claimed apparatus cannot be used to

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practice another and materially different process. (MPEP 806.05(e)). Accordingly, Applicants respectfully submit that new method Claims 24-26 are not drawn to an independent invention and request that they be entered.

D. Response to Rejections

The Examiner has rejected Claims 9, 14 and 15 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,244,169 to Brown et al. As discussed above, Claim 14 has been canceled. The Examiner contends that Brown et al. disclose a regulator, particularly as shown in FIG. 7, that is covered by the valve mechanism claimed by Applicants.

Applicants respectfully submit that Brown et al. is directed to a paraglider that is intended to be used at widely varying altitudes. As such, the air pressure surrounding the leading and trailing edges 30 and 31 will fluctuate considerably. As disclosed by Brown et al., 32' is a reservoir of high pressure air, connected by regulators to 30 and 31 to allow air to flow from 32' into 30 or 31 when pressure in 30 or 31 drops.

In contrast, Applicants' invention is directed to an inflatable aerodynamic wing that allows a user to quickly inflate the leading edge and rib struts. From a safety perspective, it is desirable to restrict the flow of air between the struts once the wing has been inflated. For example, if a leak were to develop in the leading edge strut, preventing air from flowing from the rib struts into the leading edge keeps the entire wing from deflating.

To emphasize this distinction, Applicants have amended Claim 9 to clarify that the valve mechanism used in the aerodynamic wings must have a second configuration that "prevents air flow from the rib strut to the leading edge strut when pressure in the rib strut is greater than pressure in the leading edge strut." In contrast, the explicit purpose of the Brown et al. apparatus is to allow air to travel from 32' to 30 whenever air pressure in 30 drops. For these reasons, Applicants submit that Brown et al. does not disclose all the elements of independent Claim 9 and request that the Examiner reconsider and withdraw the rejection over Brown et al.

Newly added Claims 19-23 are directed to specific embodiments of the invention, such as those shown in FIGS. 2 and 5 and described in paragraphs 31 to 33. Since these new claims all depend from Claim 9 and share the same fundamental limitations, Applicants respectfully submit that they are patentable over Brown et al. for the reasons given above.

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Finally, newly added Claim 24-26 are directed to methods for using the aerodynamic wing of the invention. As suggested by the Examiner, these claims are drafted to comply with MPEP 806.05(e) so that the apparatus of Claim 9 can not be used to practice another and materially different process. Accordingly, Applicants respectfully submit that new Claims 24-26 are not drawn to an invention independent of Claim 9 and therefore should not be subject to restriction. Moreover, since they share similar limitations, Applicants submit that Claims 24-26 are patentable over Brown et al. for the reasons discussed above.

E. Allowable Subject Matter

Applicants thank the Examiner for the indication of allowability regarding Claim 11 if it were rewritten. However, Applicants respectfully submit that in light of the arguments and amendments to the base claim presented above, Claim 11 is allowable in its current form.

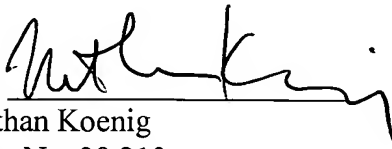
III. CONCLUSION

Applicants, having answered each and every ground of rejection as set forth by the Examiner, and having added no new matter, believe that this response clearly overcomes the references of record, and now submit that all claims in the above-referenced patent application are in condition for allowance and the same is respectfully solicited.

If the Examiner has any further questions or comments, Applicants invite the Examiner to contact their Attorneys of record at the telephone number below to expedite prosecution of the application.

Respectfully submitted,

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